

10/529968

JC13 Rec'd PCT/PTO 31 MAR 2005
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Weis et al.

Application No.: Not Yet Known

Filed: Not Yet Known

For: PLUMBING OUTLET FITTING

Group: Not Yet Known

Examiner: Not Yet Known

Our File: SMB-PT131
(PC 03 298 B US)

Date: March 31, 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or patent documents have not been included.

The references noted in the PTO-1449 were cited in an International Search Report dated December 2, 2002 and a German Office Action dated July 23, 2003, copies enclosed, from the corresponding applications. The pertinence of the references cited in

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the International Search Report are noted therein. A translation of the German Office

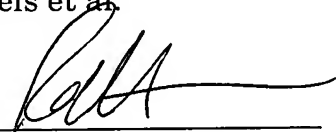
Action is enclosed which explains the pertinence of the references cited therein.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Weis et al.

By



Randolph J. Huis

Registration No. 34,626

(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

RJH/dmm
Enclosures

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				ATTY. DOCKET NO. SMB-PT131		SERIAL NO. Not Yet Known	
				APPLICANT Weis et al.			
				FILING DATE Not Yet Known		GROUP Not Yet Known	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3,223,045	12/1965	William H. Shope			
	AB	3,291,064	12/1966	Michael R. Foster			
	AC	4,722,509	02/1988	Delker et al.			
	AD	US 2002/0079471	06/2002	Chung-Shan Shen			

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AE	380 042	08/1964	Switzerland				X
	AF	1 910 493	02/1965	Germany				X
	AG	2 576 939	08/1986	France			*	
	AH	35 09 666	09/1986	Germany				X
	AI	38 35 143	04/1990	Germany			*	
	AJ	40 39 337	07/1991	Germany			*	
	AK	198 05 691	08/1999	Germany			*	
	AL	198 51 151	05/2000	Germany			*	
				*=Abstract only				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

In this report the following references are noted for the first time. The indicated numbering will be used throughout further proceedings.

E1: DE 40 39 337 A1
E2: DE 198 05 691 A1
E3: DE 35 09 666 A1

From E1, in particular Figure 1 and the description at Column 2 Line 3-5, a sanitary outlet armature with a liquid guide, that opens into a fitting outlet, in an area of which a plumbing functional unit in the form of an insertion cartridge is located, is known. Herein is the liquid guide at least in the opening area of the fitting outlet provided with a diameter that is adapted to the insertion cartridge and the insertion cartridge can be inserted into the fitting outlet from the opening side and is held removably therein.

Therefore E1 shows all the characteristics of claim 1. Claim 1 is therefore lacking novelty and its subject matter is not protectable.

Claim 11 is similarly not protectable.

The subject of dependent claims 2, 3 and 10 is also known from E1. Claims 2, 3 and 10 therefore also lack novelty and their subject matter is not protectable.

Dependent claims 4-9 which depend from claim 1 are directed to a particular construction of the sanitary outlet armature in which a basis for patentability is not recognized in that the person skilled in the art would understand the characterizing features to be known to the extent that they are not specifically shown in the state of the art or are at least obvious. The following is noted as shown in the refereces:

For claims 4-9: E2, Fig. 1

For claim 8: E3, claim 4 and the description at page 5, paragraph 2.

The subject matter of claims 4-9 therefore lack an inventive step. Claims 4-9 are therefore also not protectable.